IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA DANVILLE DIVISION

| LUIS E. CRUZ, |) |
|------------------------------------|---|
| Plaintiff, |) Case No. 4:06-CV-00001 |
| v. |)) <u>ORDER</u> |
| TOWN OF SOUTH BOSTON, VIRGINIA, |)) By: Jackson L. Kiser |
| Defendant. |) Senior United States District Judge) |
| |) |

Before this Court is the Defendant's *Motion to Dismiss Amended Complaint* [19] filed on May 24, 2006. For the reasons stated in the accompanying *Memorandum Opinion*, the Defendants' *Motion* is hereby **denied.**

The Clerk of the Court is hereby directed to send a certified copy of this *Order* and the accompanying *Memorandum Opinion* to all counsel of record and parties in this case.

Entered this 31st day of July, 2006.

s/Jackson L. Kiser
Senior United States District Judge